

State of Minnesota

District Court

County _____

Judicial District: _____
Court File Number: _____
Case Type: _____

In Re the Marriage of:

Plaintiff / Petitioner

vs / and

Defendant / Respondent

Intervenor

**Notice of Motion and Motion
To Stop Cost of Living
Adjustment**

NOTICE

Other Party:

County Attorney's Office:

Name

Street Address

City, State, Zip

Name of County Attorney

Street Address

City, State, Zip

PLEASE TAKE NOTICE that pursuant to Minnesota Statutes § 518A.75, the undersigned will bring a motion before the Honorable _____

(Name of Child Support Magistrate, Judge or Referee)

on _____ at _____ o'clock _____ at the _____
(Date: Month, Day, Year) (Time) (a.m./p.m.) (Name of building where hearing to be held)

County Courthouse or Government Center located at _____
(Street address where hearing to be held)

in the city of _____ Minnesota, and will ask the court to stop the cost of
(City where hearing to be held)

living adjustment on the child support and/or spousal maintenance.

MOTION

1. I request that the court issue an order to stop the cost of living adjustment from taking place.

2. The facts upon which I base my request are set forth in the attached Affidavit in Support of Motion to Stop Cost of Living Adjustment.

Notice of Rights to Other Party

- **You must appear at the hearing.** If you fail to appear at the hearing, the child support magistrate may issue an order granting the relief requested without further notice or hearing.
- You have the right to object or respond to the changes I am requesting.
- If you choose to respond, a written response must be served upon all parties and filed with the court **at least 5 days** prior to the hearing.
- If you choose to respond and raise new issues other than the issues in this motion, a counter motion must be served upon all parties and filed with the court **at least ten** days prior to the hearing.
- The court may, in its discretion, not consider any documents you file with the court if they are not filed on time.
- You have a right to legal representation.

Settlement

This matter may be settled without a court hearing if all parties, including the county attorney, reach an agreement. To discuss a possible settlement, contact:

_____ at _____
(Name of person to contact to discuss settlement) (Phone number of person to contact)

Acknowledgment by Party Making Motion:

- I am not serving or filing this document for any improper purpose, such as to harass or to cause unnecessary delay or needless increase in the cost of litigation.
- The claims, defenses, and other legal contentions therein are warranted by existing law or by a nonfrivolous argument for the extension, modification, or reversal of existing law or the establishment of new law.
- The allegations and other factual contentions have evidentiary support or, if specifically so identified, are likely to have evidentiary support after a reasonable opportunity for further investigation or discovery.
- The denials of factual contentions are warranted on the evidence or, if specifically so identified, are reasonably based on a lack of information or belief.
- The court may impose an appropriate sanction upon the attorneys, law firms, or parties that violate the above stated representations to the court, or are responsible for the violation.
- I understand that the existing order remains in full force and effect and I must continue to comply with that order until a new order is issued.

Dated: _____

Signature

Print Name: _____

Address: _____

City/State/Zip: _____

Telephone: _____

Attorney for: _____